

> SPOTLIGHT

A NOTE FROM THE MINISTRY OF MANPOWER (MOM)

Seaon Greetings!
Every issue of INFOCUS highlight key announcements, policy changes and tips on how employers like you can achieve a harmonious working relationship with your FDW.

In this issue, we address your concerns about the security bond and your FDW's passport, how changes to the Employment Agency Act will benefit you when engaging an agency to hire an FDW and how the revised work pass conditions affect you. We have also included safety tips on carrying out household chores for you to share with your FDW.

We hope you will find this issue informative and we would love to hear from you. Please write in to mom_fmmd_eneews@mom.gov.sg if you have tips on maintaining a cordial working relationship with your FDW, positive experiences of engaging an employment agency or suggestions on what you would like to read about in future issues of INFOCUS.

CAN I KEEP MY FDW'S PASSPORT?

You should not retain the passport of your FDW unless she gives her consent for you to safe-keep it. If she has previously given consent for you to safe-keep it, but subsequently asks for its return, you must return the passport at the earliest opportunity.

Will I lose my security bond if my foreign domestic worker (FDW) leaves Singapore without my knowledge?

If your FDW took the passport and left Singapore without your knowledge, your security bond will not be forfeited as the security bond was primarily intended to ensure that workers leave Singapore. Employers can check with MOM if the FDW has left Singapore and we would subsequently discharge the security bond.

If my FDW keeps her passport, will she be encouraged to run away to work illegally and subsequently leave Singapore?

FDWs who "run away" to work illegally would have their work passes cancelled once employers inform MOM that the workers have gone missing. Such workers would become overstayers if they stay on to work illegally and will be arrested at immigration checkpoints when trying to leave Singapore. Employers can explain these repercussions to their FDWs to minimize the incidence of them running away just because they hold their own passports.

Will I lose my security bond if my FDW runs away?

In cases where your FDW goes missing and you are unable to locate and repatriate her, only half of the security bond will be forfeited if you have made reasonable efforts to locate her. This includes making an immediate police report and assisting the police in their investigations.

However, you can seek a refund of the forfeited security bond if you manage to locate and repatriate your missing FDW within three months from the date you reported her missing to MOM.

The forfeited security bond is used to cover repatriation and other related costs once the FDW is found, so that costs of providing food and temporary accommodation, as well as arranging for her repatriation to her home country are not borne by other taxpayers.

The purpose of the security bond is to ensure irresponsible employers do not ill-treat their FDWs during their stay, as well as to ensure the workers return to their home country at the end of their employment. These conditions are made known upfront when employers apply for their FDW's Work Permit. For more information, visit www.mom.gov.sg > **Foreign Manpower > Passes & Visas > Work Permit (FDW) > Inform MOM**

EMPLOYMENT AGENCY CHANGES THAT WILL BENEFIT YOU

If you are hiring a new foreign domestic worker (FDW) or renewing the contract of your current FDW through an employment agency (EA), you may wish to know how the new regulations introduced on 1 April 2011 by the Ministry of Manpower (MOM) will benefit you.

MOM has imposed stricter requirements on all persons working in EAs. This raises the level of professionalism and accountability in the industry. In line with that, the regulatory changes have also spurred new initiatives to help you make an informed choice in your search for the EA to help you find an FDW.

Read on to find out how the changes will benefit you or visit www.mom.gov.sg/ea for more details.

EMPLOYMENT HISTORY OF FOREIGN DOMESTIC WORKERS

The employment history of FDWs is available to EAs and prospective employers via Work Permit Online (WPOL) on MOM's website. EAs are required to show you the employment history of the FDWs in Singapore to help you select the FDW who will best meet your needs.

WRITTEN SERVICE AGREEMENT

EAs are required to sign a written service agreement with you. The agreement must provide the breakdown of fees, the circumstances for refund of fees and replacement of FDWs, and describing the manner in which disputes between EAs and employers can be resolved.

You should only sign on the service agreement after fully understanding and accepting the terms and conditions of the agreement. Do keep a copy of the agreement for reference to avoid any misunderstandings. You can refer to MOM's website for a sample of a service agreement recommended by MOM.

EMPLOYMENT AGENCY DIRECTORY

It is an offence to engage the services of an unlicensed EA. You can go to the EA

ENSURE YOUR FDW IS NOT UNDER-AGED

All FDWs must be at least 23 years old to be able to work in Singapore. If your new FDW looks too young and you have ascertained that she is indeed below 23, please report to MOM as soon as possible.

directory on MOM's website to verify if the EA is licensed, as well as the identity of the EA personnel you are dealing with. The EA directory contains names and photos of all EA personnel who have registered with MOM. Remember to ask to see the registration card of the registered EA personnel you deal with to ensure you are dealing with someone authorised to perform EA transactions.

Anyone who engages unlicensed EAs can be fined up to \$5,000 per FDW engaged through that EA.

From 1 April 2011, there is no cap on fees which EAs can charge employers. With over 2,000 licensed EAs charging competitive fees, you have a wide range of choices to select a competent agency that will meet your specific needs. Do make comparisons and seek feedback from other employers before deciding on an EA.

The EA directory will also enable you to search for an EA based on indicators such as licence validity, demerit points received, placement volume and FDW retention rates. Many employers have found this online directory very useful.



CONTRACT
 — Fees
 to be
 paid by
 employer
 and FDW

WORK PERMITS: NO FALSE APPLICATIONS ALLOWED

Making a false Work Permit application is an offence under the Employment of Foreign Manpower Act, and you can be fined up to \$15,000 and/or go to jail for up to 12 months.

You should not apply for a Work Permit for a foreigner if you have no intention to hire the person to work for you. As the employer stated in her Work Permit, your foreign domestic worker (FDW) can only work for you and cannot engage in any part-time employment. Neither should she be made to work in your business or perform extra chores at your relative's house. This is tantamount to illegal deployment of your FDW.

CASE 1

Man falsely declared his foreign girlfriend as his FDW; fined \$5,000

A man applied for a Work Permit to hire his Filipino girlfriend as his FDW. After the Work Permit was issued, the Filipino woman neither stayed at her supposed employer's residence nor did she work for him. Instead, the man allowed her to work as a part-time domestic helper for other people. When he was found out in January 2011, the man was fined \$5,000 for making a false declaration, and the FDW was similarly fined \$5,000 for abetting the man to apply for the Work Permit and she has been repatriated.

CASE 2

Two Filipinos in a conspiracy; both fined \$6,000 each

A Filipino man and a Filipino woman conspired to submit a false Work Permit application for the latter. He declared her as his FDW despite having no intention of hiring her. The Work Permit was issued, but the woman did not stay at the address stated on her Work Permit card and never worked for her official employer. Instead, she worked as a part-time cleaner for three expatriate households. In May 2011, the two were fined \$6,000 each for submitting a false Work Permit application.

The Ministry of Manpower will not condone collusion between FDWs and employers to circumvent our Work Pass system. An FDW can only work for the employer in the address stated in the Work Permit, and cannot engage in any part-time employment elsewhere. Anyone who has no intention of hiring an FDW should not lend his or her name to the Work Permit application.

REVISED WORK PASS CONDITIONS: HOW DOES IT AFFECT YOU?



The revised Work Pass Conditions, which came into effect on 1 February 2011, aims to make the legal obligations you have towards your FDW clearer.

PAYING HER ON TIME

You have to pay her no later than seven days after the last day of the salary period. You should also maintain a record of the monthly salary paid to her to avoid disputes. Alternatively, you should consider opening a bank account for her and pay her regularly through the bank.

KEEPING HER SAFE AND HEALTHY

You should provide a safe working environment for your FDW and take necessary measures to ensure her safety and health at work. You must provide her with acceptable accommodation, adequate food, as well as medical treatment.

ENSURING SHE IS NOT ILL-TREATED

Your FDW should get adequate rest daily. She should also be given rest days, or

compensation in lieu, in accordance with the terms of the employment contract.

You should not do anything to put her in harm's way and should not subject her to any form of ill-treatment including verbal, physical or sexual abuse, criminal intimidation, neglect and abandonment resulting in injury to her health or safety.

SENDING HER HOME PROMPTLY

You need to pay for the cost of repatriating your FDW when her employment contract is terminated, regardless of the reason for termination, and she has to be given reasonable notice beforehand. All outstanding salaries or monies due to her must be paid before she leaves.

Once you cancel her Work Permit, you are to send her to the international port of entry that enables reasonable access to her home town.

Engaging a licensed employment agency

You should only engage the services of a licensed Employment Agency. (See page 2.)

A RECIPE FOR BONDING: KEPPEL CORPORATION SPONSORS FAST TO ENABLE MORE FDW COURSES

Visitors to the Geylang Serai Community Club were greeted with a delectable aroma on a Sunday morning, as 30 foreign domestic workers (FDWs) on their day off gathered for a cooking class organised by the Foreign Domestic Worker Association for Skills Training (FAST).

The participants were treated to a cooking demonstration featuring four appetising dishes whipped up by Chef Loo Tiong Bin.

Indonesian Piyah, 24, who has been in Singapore for three months, was happy to be given a chance to attend the course. "Now I know how to cook sweet and sour chicken, fragrant claypot rice and mango cheese roll," she said, naming three of the dishes. "I also got to meet new friends."

The event proved to be a bonding session too. Piyah's employer, Mr Affandi Ishak, was pleased with his decision to send Piyah for the course.

"I think it's a win-win situation for the FDW and for her employers. Whatever she learns, she will practice at home with the family. She seems very eager in class," said Mr Affandi, 46, a nursing officer at Keppel Shipyard.

Keppel Corporation is the first corporate sponsor which has pledged \$100,000 in support of FAST's initiatives in FDW skills training. The organisation's president Mr Seah Seng Choon has expressed his intention to utilise the corporate sponsorship to support FAST's activities.

Registered in 2005 as a non-profit organisation, FAST aims to



improve the well-being of FDWs in Singapore through affordable skills training and personal development.

Mr Seah added, "Keppel Corporation's sponsorship will be used to extend quality and affordable training to more than 2,000 FDWs."

FAST hopes to organise special classes to encourage bonding between FDW and their employers by learning together. To date, courses offered include computer literacy, baby and elder care, foot reflexology, stress and money management, personal hygiene, and healthy cooking. More than 16,000 FDWs have attended the courses so far.

Mr Seah said, "Many FDWs have improved their working skills and their working relationships with their employers because of the skill enhancements. FDWs have also become more confident and see a future for themselves because of the new skills they have acquired."

> SAFE ZONE

TEACH THEM TO WORK SAFELY

As an employer, you have to provide a safe working environment for your FDW as stipulated in the Work Pass Conditions. Some FDWs have fallen and lost their lives from cleaning windows or hanging laundry unsafely. These unfortunate incidents have also caused much stress and trauma to families and could have been avoided if the FDWs had performed their chores safely.

MOM has also taken negligent employers to task for failing to ensure their FDWs performed their chores in a safe manner. These employers may be fined up to \$5,000 and/or jailed up to six months.

They may also be barred permanently from employing FDWs if they violate Work Pass Conditions. Since 2006, MOM has taken 15 employers to task. Twelve were prosecuted and fined between \$2,500 and \$10,000 while the rest were issued composition fines of up to \$2,000.

Even though all new FDWs would have gone through the Safety Awareness Course when they first arrive, employers must still be vigilant in ensuring their FDWs performed their chores safely, and constantly remind their FDWs on the safety tips they learnt, such as:

Hanging Laundry

- Their feet must be firmly on the floor and they should not lean out of the window.
- Do not overload the laundry poles. Hang the heavier clothes closer to the bracket and the lighter clothes at the far end of pole. Extra care must be taken while retrieving laundry when it is windy or raining.

Cleaning Windows

- They should lock window grilles before cleaning the window exterior.
- They should not stand on chairs, stools or any raised platform. Window cleaning tools with extended handles (such as the extended window wiper) should be used.
- They should not climb or lean out of the window to clean the window exterior.

